

Attorney's File No: 16415-0020
Applicant or Patentee: Liu et al.
Serial No.: _____ Filed: _____

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(F) AND 1.27(C)) - SMALL BUSINESS CONCERN
AND POWER OF ATTORNEY**

I am:

☐ the owner of the small business concern identified below;
☒ an official of the small business concern empowered to act on behalf of the concern
identified below;

Name of Concern: Allayer Technologies Corporation
Address of Concern: 107 Bonaventura Drive, San Jose, California 95134

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.318, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: **"STARVATION FREE FLOW CONTROL IN A SHARED MEMORY SWITCHING DEVICE"** by Yao-Ching Liu, William Dai, and Jason Chao, described in:

☒ the specification filed herein
☐ Application Serial No: _____
filed: _____
☐ Patent No.: _____
issued: _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

NAME: _____

ADDRESS: _____

☐ INDIVIDUAL ☒ SMALL BUSINESS ☐ NONPROFIT ORGANIZATION

*NOTE: Separate Verified Statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)


The undersigned hereby authorizes the firm of OPPENHEIMER WOLFF & DONNELLY LLP to correct errors in this Verified Statement or to insert any further identification or other information necessary or desirable to make this Verified Statement suitable for submission in the United States Patent Office, and any Patent Office foreign to the United States.

I acknowledge my duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, earliest of the Issue Fee or any Maintenance Fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

As an officer of the below named company, I hereby appoint W. POMS, Reg. 18,782; G.P. SMITH, Reg. 20,142; G.E. LANDE, Reg. 22,222; A.C. ROSE, Reg. 17,047; L.J. BOVASSO, Reg. 24,075; D.J. OLDENKAMP, Reg. 29,421; C. DARROW, Reg. 30,166; M.E. HARRIS, Reg. 26,690; K.A. MACLEAN, Reg. 31,118; C. ROSENBERG, Reg. 31,464; M.E. BROWN, Reg. 28,590; E.F. O'CONNOR, Reg. 25,903; R.F. CARR, Reg. 17,110; A. ROTHENBERG, Reg. 17,843; R.L. GAUSEWITZ, Reg. 16,960; M.A. KONDZELLA, Reg. 18,013; A.P. BLOCK, Reg. 35,450; S.R. HANSEN, Reg. 38,486; D.N. LARSON, Reg. 29,401; J.W. INSKEEP, Reg. 33,910; G.F. COTTERELL, Reg. 37,802; H.D. JASTRAM, Reg. 19,777; J.M. KALIS, Reg. 37,650; C.J. LERVICK, Reg. 35,244; C.A.S. HAMRICK, Reg. 22,586; R.O. GUILLOT, Reg. 28,852; J.D. VOELZKE, Reg. 37,957; G.L. FOUNTAIN, Reg. 36,374; J.F. BOYCE, Reg. 40,920; C. CHOU, Reg. 41,672; M.K. BOSWORTH, Reg. 28,186; A.B. DIEPENBROCK III, Reg. 39,960; L. SHERRY, Reg. 43,918; OPPENHEIMER WOLFF & DONNELLY LLP, 3373 Hillview Avenue, Suite 200, Palo Alto, California 94304, (650) 320-4000, as our attorneys with full power of substitution and revocation, to prosecute said application and to transact in connection therewith all business in the U.S. Patent and Trademark Office and before competent Foreign Patent Office Authorities.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this Verified Statement is directed.

Name of Person Signing: Cheng-chung Shih, Ph.D.
Title: President/CEO – Allayer Technologies Corp.
Address of Person Signing: 107 Bonaventura Drive, San Jose, California 95134

Signature:  Date: 8/11/00

DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "STARVATION FREE FLOW CONTROL IN A SHARED MEMORY SWITCHING DEVICE" the specification of which

- ☒ is attached hereto
☐ was filed on _____ as Application Serial No. _____
 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) or U.S. provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign application or U.S. provisional application(s) for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

Prior Foreign/U.S. Provisional Application(s)

			Priority Claimed	
(Number)	(Country)	(Day, month, year filed)	Yes	No
____	____	____	____	____
(Number)	(Country)	(Day, month, year filed)	Yes	No
____	____	____	____	____
(Number)	(Country)	(Day, month, year filed)	Yes	No
____	____	____	____	____

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	Filing Date	(Status: Patented, pending, abandoned)
____	____	____
(Application Serial No.)	Filing Date	(Status: Patented, pending, abandoned)
____	____	____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint W. POMS, Reg. 18,782; G.P. SMITH, Reg. 20,142; G.E. LANDE, Reg. 22,222; A.C. ROSE, Reg. 17,047; L.J. BOVASSO, Reg. 24,075; D.J. OLDENKAMP, Reg. 29,421; C. DARROW, Reg. 30,166; M.E. HARRIS, Reg. 26,690; K.A. MACLEAN, Reg. 31,118; C. ROSENBERG, Reg. 31,464; M.E. BROWN, Reg. 28,590; R.F. CARR, Reg. 17,110;

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35,450; S.R. HANSEN, Reg. 38,486; D.N. LARSON, Reg. 29,401; J.W. INSKEEP, Reg. 33,910; G.F. COTTERELL, Reg. 37,802; H.D. JASTRAM, Reg. 19,777; C.J. LERVICK, Reg. 35,244; C.A.S. HAMRICK, Reg. 22,586; R.O. GUILLOT, Reg. 28,852; J.D. VOELZKE, Reg. 37,957; G.L. FOUNTAIN, Reg. 36,374; J. BOYCE, Reg. 40,920; C. CHOU, Reg. 41,672; A.B. DIEPENBROCK, Reg. 39960; M.K. BOSWORTH, Reg. 28,186; L. SHERRY, Reg. 43,918; OPPENHEIMER WOLFF & DONNELLY LLP, 3373 Hillview Avenue, Suite 200, Palo Alto, California 94304, (408) 795-3000, as my attorneys with full power of substitution and revocation, to prosecute said application and to transact in connection therewith all business in the Patent and Trademark Office and before competent International Authorities.

Address all telephone calls to Claude A.S. Hamrick at (650) 320-4000 and address all correspondence to:

Claude A.S. Hamrick, Esq.
OPPENHEIMER WOLFF & DONNELLY LLP
 3373 Hillview Avenue, Suite 200
 Palo Alto, California 94304

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full Name of First or Sole Inventor: Yao-Ching Liu

Home Address: 11222 Catalina Court, Cupertino, California 95014

Post Office Address: Same as above

Citizenship: Taiwan, R.O.C.

Inventor's Signature: *Yao Ching Liu* Date: 08/15/00

Full Name of Second Inventor: William Dai

Home Address: 3264 Cortona Drive, San Jose, California 95135

Post Office Address: Same as above

Citizenship: United States of America

Inventor's Signature: *William Dai* Date: 8/15/2000

Full Name of Third Inventor: Jason Chao

Home Address: 11064 La Paloma Drive, Cupertino, California 95014

Post Office Address: Same as above

Citizenship: United States of America

Inventor's Signature: *Jason Chao* Date: 8-15-2000

RECORDATION FORM COVER SHEET
PATENTS ONLY

Docket No. 16415-0020

To the Hon. Commissioner of Patents & Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Yao-Ching Liu William Dai
Jason ChaoAdditional name of conveying party attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Allayer Communications

Internal Address: _____

Street Address: 107 Bonaventura DriveCity: San Jose State: California ZIP: 95134Additional name(s) and address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other: _____Execution Date: August 15, 2000

4. Application number(s) or patent numbers:

If this document is being filed together with a new application, the execution date of the application is: August 29, 2000.

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address party to whom correspondence concerning document should be mailed:

Name: Claude A.S. Hamrick, Esq.Internal Address: Suite 200Street Address: 3373 Hillview AvenueCity: Palo Alto State: CA ZIP: 94304-12046. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41) \$40.00☒ Enclosed☒ Any discrepancy or overpayment is authorized to be charged to deposit account

8. Deposit Account number:

02-3964

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Justin Boyce

Name of Person Signing

Signature

August 29, 2000

Date

Total number of pages including cover sheet, attachments, and document: 6

ASSIGNMENT

I, as a below-named inventor, for good and valuable consideration, receipt of which is hereby acknowledged, have assigned and do hereby assign to:

**ALLAYER COMMUNICATIONS
107 BONAVENTURA DRIVE
SAN JOSE, CALIFORNIA 95134**

A CALIFORNIA CORPORATION (hereinafter referred to as Assignee), its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter invented by **Yao-Ching Liu, William Dai and Jason Chao**, and disclosed and/or claimed in an application for Letters Patent of the United States of America Serial No. _____ filed _____, entitled:

**STARVATION FREE FLOW CONTROL IN A SHARED
MEMORY SWITCHING DEVICE**

and signed by me

- ☒ On the date set forth below;
☐ on the DATE_OF_SIGNING_DECLARATION

and in and to any and all divisions, reissues, continuations and extensions thereof; and in and to all corresponding applications for Letters Patent and all Convention and Treaty Rights of any kind, in all countries throughout the world, for all such subject matter.

I hereby authorize and request that the Patent Office Officials in the United States, and in countries foreign to the United States, issue any and all of said Letters Patent or similar documents, when granted, to said Assignee, as the Assignee of our entire right, title and interest in and to the same, for the sole use and enjoyment of said Assignee, its successors and assigns.

Further, I agree that I will communicate to said Assignee, or its representatives, any facts known to me respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisions, continuations, substitutions, and renewal reexamination and reissue applications, execute all necessary Assignment papers to cause any and all of said Letters Patent to be issued to said Assignee, make all rightful oaths and generally do everything necessary or desirable to aid said Assignee, its successors and assigns, to obtain and enforce proper protection for said invention in the United States.

The undersigned hereby authorizes the firm of **OPPENHEIMER WOLFF & DONNELLY LLP** to correct errors in this assignment or to insert any further identification or other information necessary or desirable to make this assignment suitable for recordal in the United States Patent Office, and any Patent Office foreign to the United States.

In Testimony Whereof, I hereunto set my hand.

SIGNATURES

Inventor's Signature: Yao-ching Liu Date: 08/15/00
Typed Name: Yao-Ching Liu
Home Address: 11222 Catalina Court, Cupertino, California 95014
Citizenship: Taiwan, R.O.C.

Inventor's Signature: William Dai Date: 8/15/2000
Typed Name: William Dai
Home Address: 3264 Cortona Drive, San Jose, California 95135
Citizenship: United States of America

Inventor's Signature: Jason Chao Date: 8-15-2000
Typed Name: Jason Chao
Home Address: 11064 La Paloma Drive, Cupertino, California 95014
Citizenship: United States of America

NOTARIAL CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

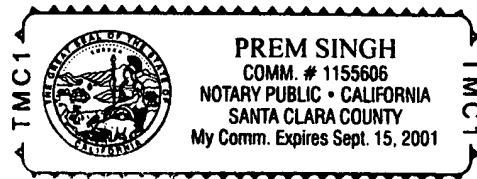
On AUG 15, 2000 before me, PREM SINGH, a notary public,
personally appeared WEI DAI personally ~~known to me~~ (or proved to me
on the basis of satisfactory evidence) to be the person(s) whose names(s) is/~~are~~ subscribed to the
within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~
authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or
the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Prem Singh

Notary Public

SEAL



NOTARIAL CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

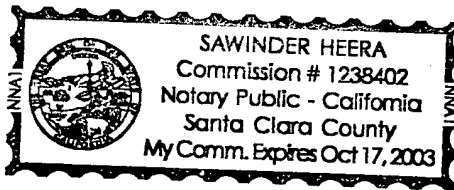
On 15 AUGUST 2000 before me, SAWINDER HEERA, a notary public, personally appeared JASON CHUANLUNG CHAO ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/her/their authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal.

Sawinder Heera

Notary Public

SEAL



NOTARIAL CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

On 15 AUGUST 2000 before me, SAWINDER HEERA, a notary public, personally appeared YACHING LIU ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Sawinder Heera

Notary Public

SEAL

